

1 DONALD SPECTER (SBN 83925)
2 STEVEN FAMA (SBN 99641)
3 Prison Law Office
4 General Delivery
5 San Quentin, CA 94964
6 Telephone: 415-457-9144
7 Facsimile: 415-457-9151
8 dspecter@prisonlaw.com
9 sfama@prisonlaw.com

10 Attorneys for Plaintiffs

EDMUND G. BROWN, Jr.
Attorney General, State of California
JAMES M. HUMES
Chief Assistant Attorney General
FRANCES T. GRUNDER
Senior Assistant Attorney General
ROCHELLE C. EAST (SBN 183792)
Supervising Deputy Attorney General
JULIANNE MOSSLER (SBN 243749)
Deputy Attorney General
SARA UGAZ (SBN 239031)
Deputy Attorney General
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-7004
Telephone: (415) 703-5711
Fax: (415) 703-5843
Julianne.Mossler@doj.ca.gov

Attorneys for Defendants

15 IN THE UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

21 ANDREW LANCASTER, et. al.,
22 Plaintiffs,

23 v.

24 JAMES E. TILTON, et al.,
25 Defendants.

26 FREDDIE FUIAVA,
27 Intervenor.

No. C 79-01630 WHA

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER FOR
PAYMENT OF UNDISPUTED FEES
AND COSTS AND RESERVATION
OF RIGHTS WITH RESPECT TO
DISPUTED FEES AND COSTS**

1 Fees and Costs: January 1, 2007 - June 30, 2007

2 WHEREFORE, with respect to Plaintiffs' attorneys' fees and costs dating from January 1,
3 2007 through June 30, 2007, Plaintiffs and Defendants, by and through their attorneys, have
4 further met and conferred, as required by Northern District Local Rule 54-6, "for the purpose of
5 resolving all disputed issues relating to attorney's fees before making a motion for award of
6 attorney's fees."

7 WHEREFORE, on July 30, 2007, Defendants and Plaintiffs stipulated that, after the
8 Court has issued a decision on all those matters brought before it by Plaintiffs in their motions of
9 April 2, 2007, Plaintiffs and Defendants would continue to meet and confer on the payment of
10 Plaintiffs' disputed fees and costs dating from the period of January 1, 2007 through June 30,
11 2007.

12 WHEREFORE, after further conferring, Plaintiffs and Defendants have agreed that from
13 the period of January 1, 2007 through June 30, 2007, there is an additional \$7,441.05 in
14 undisputed fees, \$6,610.50 owing to plaintiffs. A total of \$86,653.63 in Plaintiffs' fees and costs
15 are now undisputed by the parties, and a corresponding total of \$64,401.26 in Plaintiffs' fees and
16 costs remain in dispute by the parties for this period.

17 WHEREFORE, Defendants agree to pay \$6,610.50 in Plaintiffs' fees and costs within 45
18 days of the Court's order awarding such fees and costs for this period.

19 WHEREFORE, Defendants and Plaintiffs agree and stipulate that Plaintiffs reserve all
20 rights to seek recovery of all Plaintiffs' disputed fees and costs dating from the period of January
21 1, 2007 through June 30, 2007 and totaling \$64,401.26, including through a motion to compel.

22 Fees and Costs: July 1, 2007 - February 15, 2008

23 WHEREFORE, with respect to Plaintiffs' attorney's fees and costs dating from July 1,
24 2007 through February 15, 2008, Plaintiffs and Defendants, by and through their attorneys, have
25 met and conferred, as required by Northern District Local Rule 54-6, "for the purpose of
26 resolving all disputed issues relating to attorney's fees before making a motion for award of
27 attorney's fees."

28 WHEREFORE, after conferring, Plaintiffs and Defendants have agreed that from the

1 period of July 1, 2007 through February 15, 2008, there is a total of \$10,405.88 in Plaintiffs' fees
 2 and costs are now undisputed by the parties, \$10,202.95 owing to plaintiffs, and a corresponding
 3 total of \$465,496.53 in Plaintiffs' fees and costs that remain in dispute by the parties.

4 WHEREFORE, Defendants agree to pay \$10,202.95, in Plaintiffs' fees and costs within
 5 45 days of the Court's order awarding such fees and costs for this period.

6 WHEREFORE, Defendants and Plaintiffs agree and stipulate that Plaintiffs reserve all
 7 rights to seek recovery of all Plaintiffs' disputed fees and costs dating from the period of July 1,
 8 2007 through February 15, 2008, totaling \$465,496.53, including through a motion to compel.

9
 10 IT IS SO STIPULATED.

11
 12 Dated: April 11, 2008

13 _____ /S/
 14 Donald Specter
 Prison Law Office
 Attorneys for Plaintiffs

15
 16 Dated: April 15^{pm}, 2008

17 _____
 18 Julianne Mossler
 Office of the Attorney General of the State
 of California
 Attorneys for Defendants

19 Pursuant to the parties' stipulation, the Court hereby orders Defendants to pay
 20 Plaintiffs' reasonable attorneys' fees and costs dating from January 1, 2007 through June
 21 30, 2007 in the amount of \$6,610.50. Defendants are to pay Plaintiffs' fees and costs
 22 within 45 days of this Order.

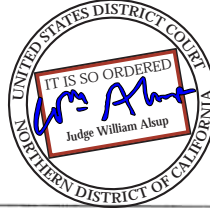
23 Further pursuant to the parties' stipulation, the Court hereby orders Defendants to
 24 pay Plaintiffs' reasonable attorneys' fees and costs dating from July 1, 2007 through
 25 February 15, 2008 in the amount of \$10,202.95. Defendants are to pay Plaintiffs' fees
 26 and costs within 45 days of this Order.

27 Further pursuant to the parties' stipulation, Plaintiffs reserve all rights to seek
 28 recovery of all Plaintiffs' disputed fees and costs dating from the entire period of January

1 1, 2007 through February 15, 2008 totaling \$529,897.79 including through a motion to
2 compel.

3
4 IT IS SO ORDERED.

5 Date: April 21, 2008



6
7 Honorable William H. Alsup
United States District Court Judge